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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,140	12/19/2001	Kim Cuc Ngo	60630-300101	8808

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EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT PAPER NUMBER

2144

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,140

Applicant(s)

NGO, KIM CUC

Examiner

Gertrude Arthur-Jeanglaude

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-116 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-116 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-3, 35-37, 69-71, drawn to a method of parsing a data file into its static and dynamic data components, classified in class 709, subclass 231.
- II. Claims 4-9, 38-43, 72-77, drawn to a method of sending requested data to a client from an intelligent server storing a file, classified in class 709, subclass 203 .
- III. Claims 10-13, 44-47, 78-81, drawn to a method for processing data received from an intelligent server, classified in class 709, subclass 219.
- IV. Claims 14-19, 48-53, 82-87, drawn to a method of creating an intelligent protocol data packet, classified in class 370, subclass 395.52.
- V. Claims 20-21, 54-55, 88-89, drawn to Servicing a data request to a file server from a client connected to the network, classified in class 709, subclass 223.
- VI. Claims 22-25, 56-59, 90-93, drawn to a method of responding to a file request from an intelligent client by an intelligent network connection server, classified in class 709, subclass 227.

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- VII. Claims 26, 27-30, 60-64, 94-98, drawn to a method of operation for a system for transmitting and receiving data within a network, classified in class 709, subclass 229.
- VIII. Claims 31-34, 65-68, 99-102, drawn to a method of sending a file over a network from an originating node to a requesting client, classified in class 709, subclass 226.
- IX. Claims 103-111, drawn to a broadcast server method of transmitting data files, classified in class 709, subclass 238.
- X. Claims 112-116, drawn to a method for displaying data files having static and dynamic components received from a broadcast server, classified in class 709, subclass 246.

The inventions are distinct, each from the other because of the following reasons:

Inventions are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions because

Invention I lacks Invention II features:

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention I lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention I lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention I lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention I lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention I lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention I lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention I lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention I lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention II lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value.

Invention II lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention II lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention II lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention II lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention II lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention II lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention II lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention II lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

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Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention III lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value.

Invention III lacks Invention II features

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention III lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention III lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention III lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention III lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention III lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention III lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional

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dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention III lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention IV lacks Invention I features

parsing s data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value.

Invention IV lacks Invention II features

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention IV lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention IV lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention IV lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention IV lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention IV lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention IV lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention IV lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention V lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value.

Invention V lacks Invention II features

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention V lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention V lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention V lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention V lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention V lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention V lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention V lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention VI lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value

Invention VI lacks Invention II features

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention VI lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention VI lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention V lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention VI lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention VI lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention VI lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention VI lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention VI lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention VII lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value

Invention VII lacks Invention II features

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention VII lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention VII lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention VII lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention VII lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention VII lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention VII lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention VII lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention VIII lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value.

Invention VIII lacks Invention II features

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention VIII lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention VIII lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention VIII lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention VIII lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention VIII lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention VIII lacks Invention IX features

Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Invention VIII lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention IX lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data
comparing each expiration parameter to the threshold value
identifying as static/dynamic data based on data components of the data file that
have an expiration value lower/higher than the threshold value.

Invention IX lacks Invention II features

Determining whether the client is intelligent
Dividing static data components into static data packets and dividing dynamic
data components into dynamic data packets

Invention IX lacks Invention III features

Receiving static data packets
Reconstructing the requested file

Invention IX lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention IX lacks Invention V features

Forwarding the request to the file server
Storing a copy of a static portions of the received data

Invention IX lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention IX lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention IX lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention IX lacks Invention X features

Receiving dynamic data blocks containing portions of a plurality of dynamic images

Combining the static and dynamic images over a plurality of time intervals, wherein at each time interval the static image is combined with a dynamic image thereby forming a display having both dynamic and static components

Invention X lacks Invention I features

parsing a data file into its static and dynamic data components

setting a threshold value for separating static data and dynamic data

comparing each expiration parameter to the threshold value

identifying as static/dynamic data based on data components of the data file that have an expiration value lower/higher than the threshold value.

Invention X lacks Invention II features

Determining whether the client is intelligent

Dividing static data components into static data packets and dividing dynamic data components into dynamic data packets

Invention X lacks Invention III features

Receiving static data packets

Reconstructing the requested file

Invention X lacks Invention IV features

Identifying information identifying the intelligent data protocol

Invention X lacks Invention V features

Forwarding the request to the file server

Storing a copy of a static portions of the received data

Invention X lacks Invention VI features

Sending a static data to the intelligent client

Receiving at least the dynamic data

Sending a static data to the intelligent agent

Invention X lacks Invention VII features

Transmitting at least the dynamic data components of the requested file to the intelligent client;

Recombining the static components and the dynamic components of the requested file

Invention X lacks Invention VIII features

Providing a time insensitive component of the file to the client from the intermediate node

Providing a time sensitive component of the file to the client from the originating node

Invention X lacks Invention IX features

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Transmitting at least one additional dynamic component that supercedes at least one dynamic component via transmission medium such that at least one additional dynamic component may be displayed with the static component, wherein the additional dynamic component is displayed in place of the at least one dynamic component

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I, is not required for Group II, III, IV, V, VI, VII, VIII, IX, X restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

A telephone call was made to Brian Coleman (# 39,145) on 3/14/05 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is

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(571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

GAJ

March 16, 2005

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUDE
PRIMARY EXAMINER